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JOHN M. PELKEY
ADMITTED IN D.C. AND VA

March 21, 1997

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

OUR FILE NO.
1564-101-63

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Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: Amendment of Section 73.202(b)
Ironton, Missouri and Malden, Missouri

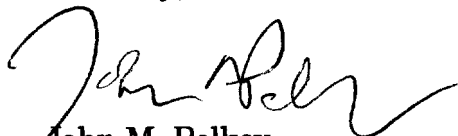
Dear Mr. Caton:

Transmitted herewith on behalf of B.B.C. Inc. are an original and four copies of a Petition for Rulemaking seeking the substitution of Channel 224A for Channel 225A at Ironton, Missouri and the substitution of Channel 225C2 for Channel 225C3 at Malden, Missouri.

No filing fee need accompany this Petition.

If there are any questions concerning this matter, please contact this office directly.

Sincerely,


John M. Pelkey

JMP/ned

Enclosures

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MAR 21 1997
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Before The
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Section 73.202(b))	MM Docket No.
Table of Allotments)	RM-
FM Broadcast Stations)	
Malden, Missouri and)	
Ironton, Missouri)	
)	

To: Chief, Allocations Branch

Petition for Rulemaking

B.B.C. Inc. ("BBC"), pursuant to Section 1.420 of the Commission's rules, hereby respectfully petitions the Commission to amend Section 73.202(b) of the Commission's rules to substitute Channel 225C2 for Channel 225C3 at Malden, Missouri, and to substitute Channel 224A for Channel 225A at Ironton, Missouri, and to modify the licenses of Stations KMAL(FM) and KYLS(FM) accordingly. In support of this petition, the following is shown:

(1) BBC is the licensee of KMAL(FM) in Malden, Missouri.

KMAL(FM) operates with Class C3 facilities on Channel 225. With those

facilities, KMAL(FM) provides 60 dBu service to an area encompassing 2,659 square kilometers and 44,934 persons. If Channel 225C2 were substituted for Channel 225C3 at Malden, Malden could receive improved wide-area service. Specifically, KMAL(FM) could increase its service area such that the area encompassed within its 60 dBu contour would be 8,544.7 square kilometers, an increase of 221%. The population encompassed within the station's 60 dBu contour similarly would increase to 140,045 persons, an increase of nearly 212%. Because the 60 dBu service contour of the proposed Class C2 facilities would completely encompass the existing 60 dBu contour, no person would experience a loss in service as a result of the upgrade.

The requested substitution would result in a short-spacing to KYLS(FM), which operates on Channel 225A at Ironton, Missouri. This short-spacing can be eliminated, however, if Channel 224A is substituted for Channel 225A at Ironton.¹ Substitution of Channel 224A for Channel 225A at Ironton would permit the substitution of Channel 225C2 for Channel 225C3 at Malden to take place in full accordance with the

¹ Channel 224A had been allocated to Ironton, but the channel was reallocated as Channel 225A as a result of a "one-step" application filed by KYLS(FM). KYLS(FM) currently holds a license to operate on Channel 224A.

Commission's spacing requirements. KYLS(FM) would not be required to change its current transmitter site.

The substitution of Channel 224A for Channel 225A at Ironton would permit an increase in service by KYLS(FM), if that station so wishes. Specifically, as is set forth in the attached Engineering Statement of Wheeler Broadcast Consulting, KYLS(FM) could increase its power from 770 watts ERP to 1.4 kilowatts ERP at its existing antenna center of radiation. Such an upgrade of KYLS(FM) would permit an increase in the area encompassed within the 60 dBu contour of KYLS(FM) from 1,846.7 square kilometers to 2,434.4 square kilometers, an increase of 31.8%. Similarly, the population encompassed within KYLS(FM)'s 60 dBu contour would increase from 15,802 persons to 17,827 persons, an increase of 12.8%. There would be no loss of service to any persons within the present KYLS(FM) 60 dBu contour.

The proposal thus would permit improved service to the public. Malden would receive improved wide-area service. Nearly an additional 100,000 persons would receive service from KMAL. An additional 2,000 persons could receive service from KYLS. No area would lose service as a result of the proposal.

BBC hereby commits to promptly apply for and construct

Class C2 facilities on Channel 225 if its proposed rulemaking is adopted. If the rulemaking is adopted, it will also reimburse KYLS(FM)'s reasonable expenses in changing channels as required by the Commission's policies.² *See Circleville, Ohio, 8 FCC 2d 159 (1967).*

Accordingly, BBC respectfully requests that its Petition for Rulemaking be adopted and that the Commission issue a notice of proposed rulemaking seeking amendment of Section 73.202(b) of the Commission's rules as follows:

Community	Present Allotment	Proposed Allotment
Ironton, Missouri	225A	224A
Malden, Missouri	225C3	225C2

BBC also respectfully requests that the Commission (1) issue an order requiring David E. Smith Communications, which is the licensee of KYLS(FM), to show cause why the license of KYLS(FM) should not be modified to specify operation on Channel 224A and (2) include in the Notice of Proposed Rulemaking the requisite provisions for the

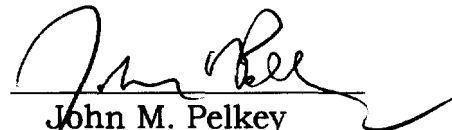
² Because BBC is proposing to upgrade its class on its current channel, competing expressions of interest are not to be entertained and BBC is not required to demonstrate the availability of an additional equivalent class channel for use by other interested parties. *See 47 C.F.R. § 1.420(g).*

modification of the licenses of KMAL(FM) and KYLS(FM) to operate on Channel 225C2 and Channel 224A, respectively.

Respectfully submitted,

B.B.C. Inc.

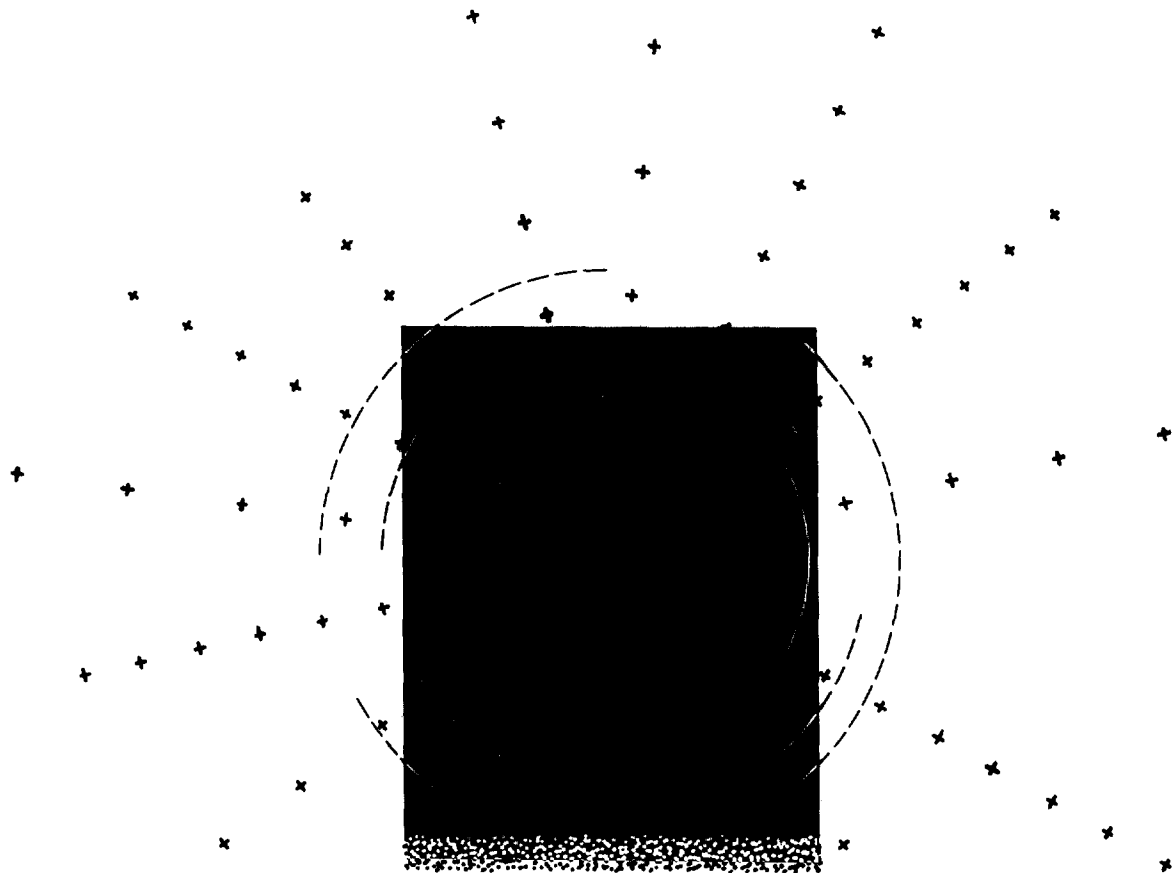
By:


John M. Pelkey
Its Attorney

HALEY BADER & POTTS P.L.C.
Suite 900
4350 North Fairfax Drive
Arlington, VA 22203-1633

703/841-0606

Date: March 21, 1997



WHEELER BROADCAST CONSULTING

BBC, Inc.

Petition for Rulemaking

Petition to:

Amend 47 CFR 73.202(b)

**Substitute Channel 225 C2 for Channel 225C3 - Malden, MO
Substitute Channel 224 A for Channel 225 A - Ironton, MO**

March - 1997



WHEELER BROADCAST CONSULTING

Engineering Statement

Proposed Rulemaking to Amend 47 CFR 73.202(b)
KMAL Malden, MO and KYLS Ironton, MO

This consultant has been retained by BBC, Inc., licensee of KMAL in Malden, Missouri, for the purpose of preparing technical support to a Rulemaking to amend 47 CFR 73.202(b) seeking an upgrade from Class C3 to Class C2 for KMAL.

KMAL operates with contour protected Class C3 facilities on Channel 225¹. A search of the Commission's February 21, 1997 FM database reveals that KMAL could operate with Class C2 facilities, in full compliance with the provisions of 47 CFR 73.207 and 47 CFR 73.315 save a short spacing to the KYLS, channel 225 A, construction permit in Ironton, MO. A copy of the spacing study is included in this report as Exhibit 1.

KYLS

KYLS holds a license to operate on Channel 224A and also holds a construction permit, BPH-931230 IE, that specifies a contour protected operation on Channel 225A. The Channel 225A construction permit was granted via a "One Step" application. It is our understanding that, at present, KYLS is operating on an STA however it is not known whether that STA operation is on Channel 224 or Channel 225. A search of the Commission's February 21, 1997 FM database reveals that KYLS would now be fully spaced under the provisions of 47 CFR 73.207 on the licensed channel, Channel 224A². A spacing study that demonstrates the availability of Channel 224 for KYLS is included in this report as Exhibit 2.

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MISSION, KS 66202
913.362.7282
913.362.7287

¹ KMAL is operating under program test authority on Channel 225 C3 and has filed form 302 in application for a new broadcast license. As of this writing that license has not yet been granted.

² KYLS would short space the co-channel, Construction Permit, facilities of WVZA in Herrin, IL by 0.45 km from the existing and the proposed KYLS transmitter site. When the spacing is rounded to the nearest kilometer, as set forth in 47 CFR 73.208 (c)(8), the KYLS operation would indeed be fully spaced under 47 CFR 73.207.

KYLS continued

The KYLS, channel 225A, construction permit facilities specify facilities that are less than the maximum allowable for Class A operation³ due to a 4.9 km short spacing to the Channel 226A facilities KDBZ in Perryville, MO. BBC, Inc., based on the preferable allotment that could be afforded to KYLS, herein proposes to substitute Channel 224A for Channel 225A at Ironton and to modify BPH-931230 IE accordingly. BBC, Inc. will pay all costs, if any, that are necessary for KYLS to move the operation from Channel 225 to Channel 224.

KMAL

The coordinates of Malden, MO are listed in the National Atlas of the United States of America as follows:

36° 35' 05" N. Latitude
89° 58' 32" W. Longitude

The point closest to Malden in which the minimum requirements of 47 CFR 73.207 are met for Class C2 operation is:

36° 39' 48" N. Latitude
89° 47' 39" W. Longitude

The latter point is a suitable reference point for the proposed allocation. From that allocation point the service contours of a hypothetical Class C2 (50 kW at 150m HAAT) were predicted and plotted on a digitally generated map. A copy of that map is included in this report as Exhibit 3. As shown in Exhibit 3, the entirety of Malden, MO would be illuminated with a signal well in excess of the 70 dBu minimum prescribed in 47 CFR 73.315(a).

³ The KYLS construction permit specifies an operation with 770 Watts ERP at 206 M HAAT. Full Class A facilities at 206 M HAAT would have an ERP of approximately 1.4 kW.

Comparative Service

With the proposed Class C2 facilities, KMAL would provide service to a substantially larger area. KMAL's present Channel 225C3 facilities provide 60 dBu service to an area encompassing 2,659 km² while the of the Class C2 reference facilities would provide 60 dBu service to an area of 8,544.7 km², an increase of 221%. Population increases are similar with an increase from 44,934 persons to 140,045 persons, an increase of nearly 212%. The 60 dBu service contours of the proposed Class C2 facilities would completely encompass the existing facilities 60 dBu service contours and, accordingly, no person would experience a loss in service as a result of a grant of this proposal. A digitally generated map depicting the comparative 60 dBu service contours is included in this report as Exhibit 4.

KYLS would also be free to increase service from its facilities. Specifically, KYLS could increase power from 770 Watts ERP to 1.4 kW ERP at its existing antenna center of radiation. The result of such an upgrade of KYLS, should its licensee choose to pursue it, would be to increase the 60 dBu service area from 1,846.7 km² to 2434.4 km², a 31.8% increase. Population served within the 60 dBu contour by an upgraded KYLS facilities would increase from 15,802 persons to 17,827 persons, a 12.8% increase. A digitally generated map depicting the respective 60 dBu service contours is included in this report as Exhibit 5.

Methodology

All contour predictions used in this report were calculated in accordance 47 CFR 73.313 of the Rules and all service contours depicted in this report are based on 360, equally spaced, radials. Area measurements were made with a K&E model 620000 Polar Planimeter and population determinations were made by digitally overlaying the PL-94-171 Census Data Files that extract information from the 1990 US Census.

Conclusion

In light of the above stated facts we find that the proposed substitution of Channel 225 C2 for Channel 225 C3 at Malden, Missouri is in the public interest. The proposed substitution can be accomplished with no loss in service to any person and with a simple modification of the KYLS Construction Permit at Ironton, MO.

Conclusion (continued)

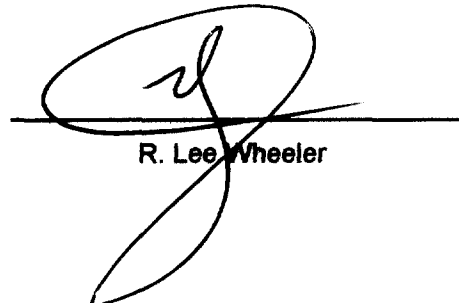
Accordingly, it is respectfully requested that the Table of FM Allotments, 47 CFR 73.202(b) be amended as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Malden, MO	225 C3	225 C2
Ironton, MO	225 A	224 A

Certification

All information contained in this report is true and accurate to the best of my belief. Having had numerous matters before The Commission, my qualifications are a matter of record.

3/3/97
Date


R. Lee Wheeler

WHEELER BROADCAST CONSULTING
6025 Martway - Suite 112 - Mission KS 66202

BBC, Inc.
Malden, MO

REFERENCE	CLASS C2	DISPLAY DATES
36 39 48 N		DATA 02-21-97
89 47 39 W	Current rules spacings	SEARCH 02-28-97
----- CHANNEL 225 - 92.9 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
KMAL.C	225C3	Malden	MO	233.1	20.58	177.0	-156.42 *
CP ZCN	36 33 08	89 58 42	23.500 kW	53M	12.8	110.0	
	BBC, Inc.				BPH950503IA		970315
>One-Step Application From Channel 224A							
KMAL	224A	Malden	MO	233.1	20.58	106.0	-85.42 *
LI CN	36 33 08	89 58 42	3.000 kW	55M	12.8	65.9	
	BBC, Inc.				BLH791105AC		
>To Channel 225C3 per One-Step Application BPH-950503IA							
KYLS.C	225A	Ironton	MO	322.0	128.74	166.0	-37.26 *
CP ZCN	37 34 23	90 41 35	0.770 kW	206M	80.0	103.2	
	David E. Smith Communications				BPH931230IE		970721
>One-Step Application From Channel 224A							
WMFS	225A	Bartlett	TN	184.7	166.00	166.0	0.00 *
LI DEN	35 10 20	89 56 40	6.000 kW	100M	103.2	103.2	
	Belz Broadcasting Co.				BLH940513KC		
AD223	223A	Poplar Bluff	MO	281.3	55.00	55.0	0.00 *
AD	36 45 30	90 23 54	0.000 kW	0M	34.2	34.2	
	The Word of Victory Outreach				RM8989		961223
WVZA.C	224B1	Herrin	IL	26.3	137.96	134.0	3.96
CP ZCN	37 46 28	89 05 50	25.000 kW	100M	85.7	83.3	
	3-D Communications Corporatio				BPH960221IG		971224
>One-step upgrade from Channel 224A							
KBDZ	226A	Perryville	MO	353.4	110.13	106.0	4.13
LI CN	37 38 56	89 56 21	1.600 kW	190M	68.4	65.9	
	Donze Communications, Inc.				BLH910131KC		
KZLE.C	226C	Batesville	AR	244.2	193.52	188.0	5.52
CPM CN	35 53 29	91 43 32	100.000 kW	300M	120.3	116.8	
	WRD Entertainment, Inc.				BMPH960718IB		970729
>From Channel 226C1 per one-step process (mod of BPH-941021IC)							
WWGM	226C3	Alamo	TN	147.4	123.41	117.0	6.41
LI CN	35 43 31	89 03 25	14.000 kW	135M	76.7	72.7	
	Good News Network, Inc.				BLH930503KB		

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CLASS C2

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
WJXA	225C	Nashville	TN	102.6	260.56	249.0	11.56
LI CY	36 07 14	86 58 07	100.000 kW	321M	161.9	154.8	
		South Central Communications			BLH861204KB		
WYNU	222C	Milan	TN	132.7	124.15	105.0	19.15
LI CN	35 54 06	88 46 55	100.000 kW	302M	77.2	65.3	
		Ohio Broadcast Associates			BLH870825KE		
KBKG	228A	Corning	AR	247.7	76.59	55.0	21.59
LI CN	36 24 00	90 35 05	3.000 kW	42M	47.6	34.2	
		Eulis W. Cochran			BLH831115AA		
KYLS	224A	Ironton	MO	322.0	128.74	106.0	22.74
LI CN	37 34 23	90 41 35	0.640 kW	204M	80.0	65.9	
		David E. Smith Communications			BLH840113AK		
>*To channel 225A per one-step application 931230IE							
WSEI	225B	Olney	IL	33.1	271.95	241.0	30.95
LI CN	38 42 00	88 04 49	50.000 kW	88M	169.0	149.8	
		V.L.N. Broadcasting, Inc.			BMLH820720AD		
KZMA.C	278C2	Poplar Bluff	MO	293.3	52.11	20.0	32.11
CPM CN	36 50 50	90 19 52	50.000 kW	99M	32.4	12.4	
		Twin Eagle Communications			BMPH930111IF		961108
WKYQ	227C1	Paducah	KY	67.4	113.58	79.0	34.58
LI CN	37 02 56	88 36 52	100.000 kW	279M	70.6	49.1	
		Bristol Broadcasting Company,			BLH940922KC		
KZLE	226C1	Batesville	AR	244.3	194.20	158.0	36.20
LI CN	35 53 27	91 44 01	100.000 kW	204M	120.7	98.2	
		WRD Entertainment, Inc.			BLH820302AF		
>*To channel 226C Per One-Step Application 941021IC							
WVZA	224A	Herrin	IL	31.8	143.09	106.0	37.09
LI CN	37 45 15	88 56 05	3.300 kW	132M	88.9	65.9	
		3-D Communications Corporatio			BLH940316KA		
>to Channel 224B1 per one-step application bph-960221IG							

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KYL
Ironton, MO

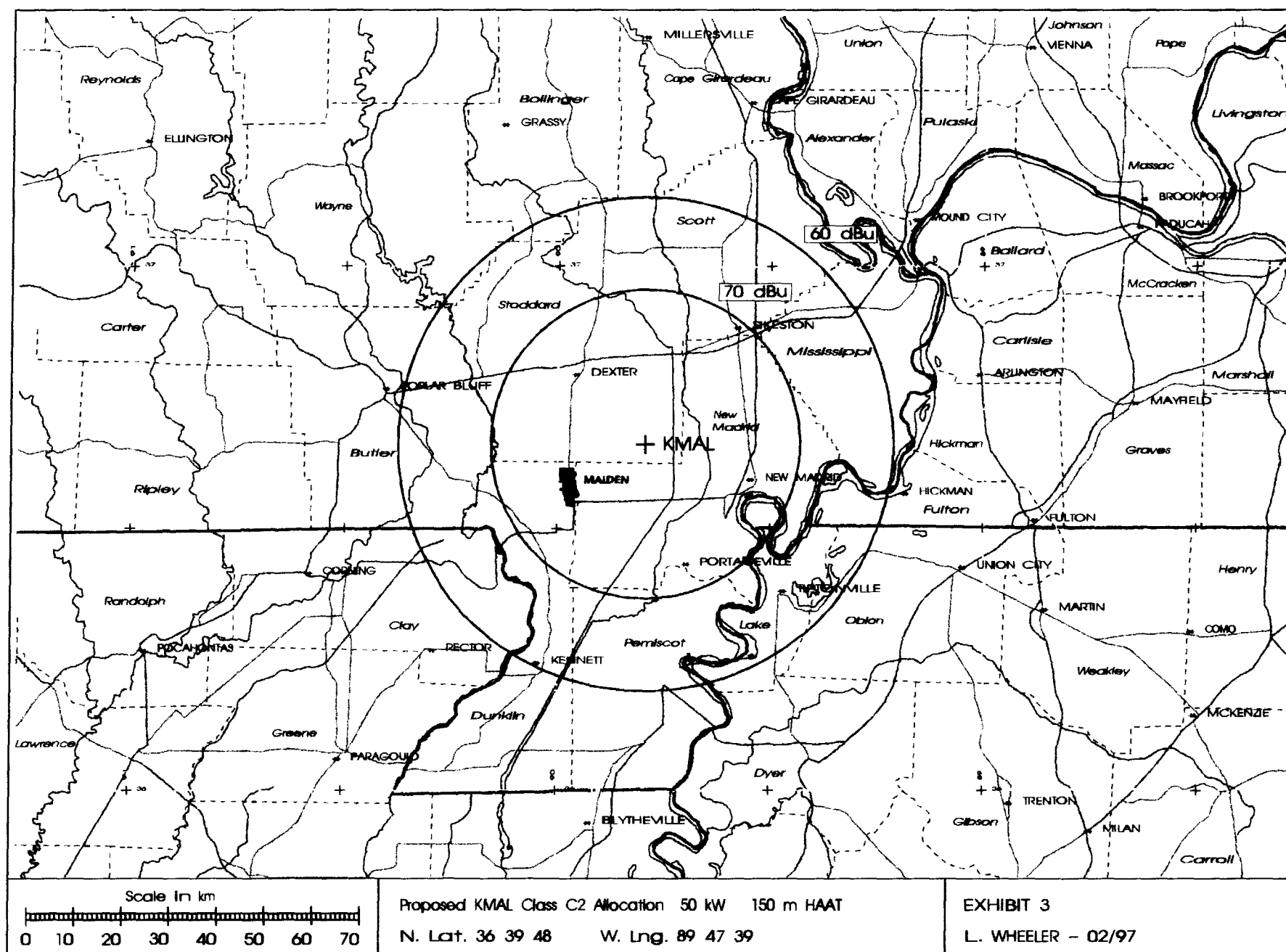
REFERENCE		DISPLAY DATES
37 34 23 N	CLASS A	DATA 02-21-97
90 41 35 W	Current rules spacings	SEARCH 02-28-97
----- CHANNEL 224 - 92.7 MHz -----		

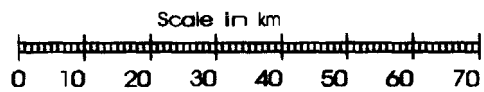
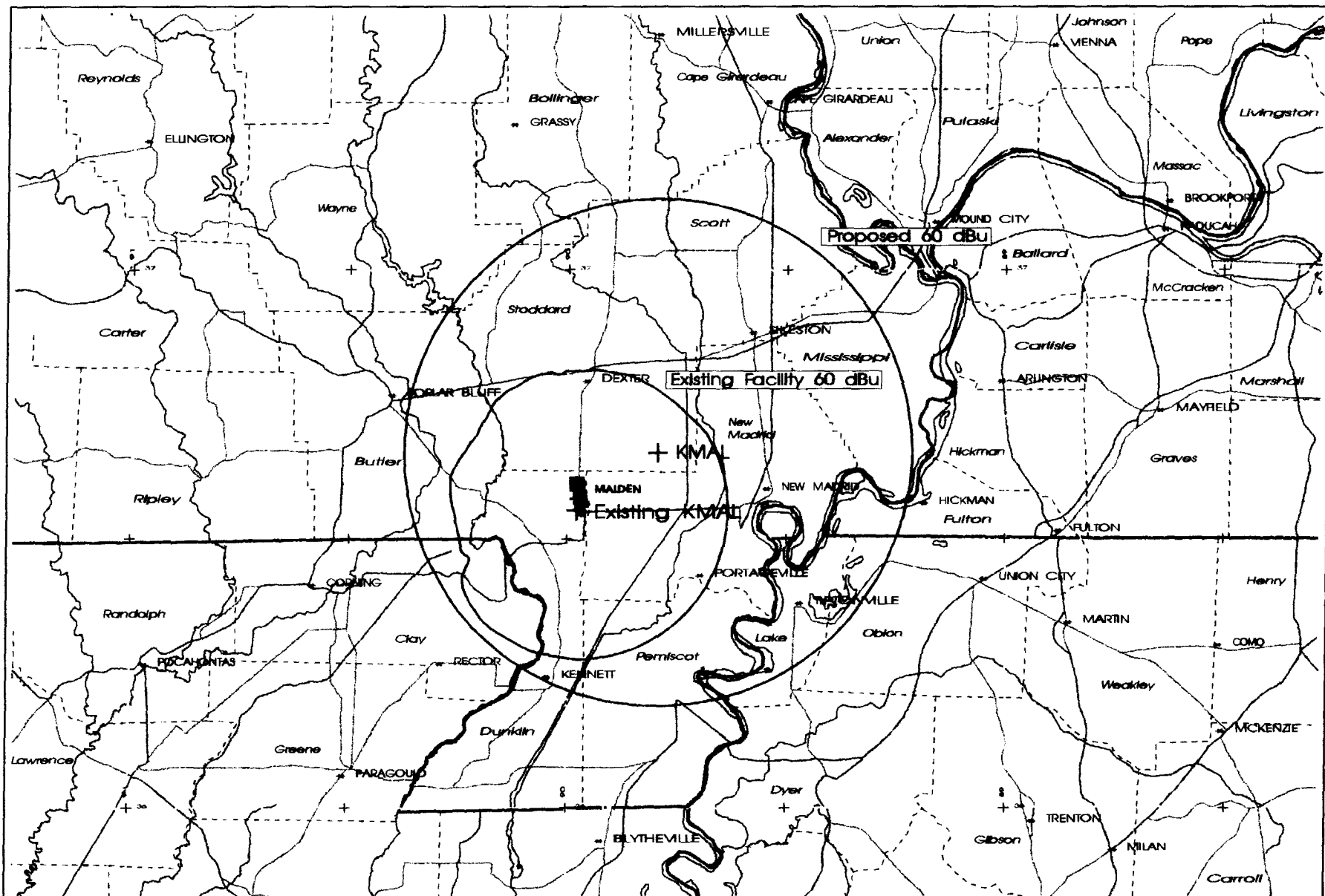
CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
KYL	224A	Ironton	MO	0.0	0.00	115.0	-115.00 *
LI CN	37 34 23	90 41 35	0.640 kW	204M	0.0	71.5	
David E. Smith Communications					BLH840113AK		
>*To channel 225A per one-step application 931230IE							
KYL.C	225A	Ironton	MO	0.0	0.00	72.0	-72.00 *
CP ZCN	37 34 23	90 41 35	0.770 kW	206M	0.0	44.8	
David E. Smith Communications					BPH931230IE 970721		
>One-Step Application From Channel 224A							
WVZA.C	224B1	Herrin	IL	80.5	142.55	143.0	-0.45 *
CP ZCN	37 46 28	89 05 50	25.000 kW	100M	88.6	88.9	
3-D Communications Corporatio					BPH960221IG 971224		
>One-step upgrade from Channel 224A							
WILFM	222C	St. Louis	MO	14.2	104.18	95.0	9.18
LI CY	38 28 56	90 23 53	100.000 kW	300M	64.8	59.0	
WIL Music, Inc.					BLH890707KC		
KNSX	227C2	Steelville	MO	332.7	66.48	55.0	11.48
LI CN	38 06 16	91 02 30	8.500 kW	356M	41.3	34.2	
Twenty-One Sound Communicatio					BLH961002KF		
>From Channel 224A Per D87-335							
KMAL	224A	Malden	MO	150.6	129.90	115.0	14.90
LI CN	36 33 08	89 58 42	3.000 kW	55M	80.7	71.5	
BBC, Inc.					BLH791105AC		
>To Channel 225C3 per One-Step Application BPH-950503IA							
KLOZ	224C2	Eldon	MO	297.7	187.43	166.0	21.43
LI CN	38 20 27	92 35 33	31.000 kW	189M	116.5	103.2	
Capital Media, Inc.					BLH890828KE		
AD223	223A	Poplar Bluff	MO	163.8	94.13	72.0	22.13
AD	36 45 30	90 23 54	0.000 kW	0M	58.5	44.8	
The Word of Victory Outreach					RM8989 961223		
KBDZ	226A	Perryville	MO	82.5	67.10	31.0	36.10
LI CN	37 38 56	89 56 21	1.600 kW	190M	41.7	19.3	
Donze Communications, Inc.					BLH910131KC		

WHEELER BROADCAST CONSULTING
6025 Martway - Suite 112 - Mission KS 66202

CLASS A

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
KMAL.C	225C3	Malden	MO	150.6	129.90	89.0	40.90
CP ZCN	36 33 08	89 58 42	23.500 kW	53M	80.7	55.3	
	BBC, Inc.				BPH950503IA	970315	
>One-Step Application From Channel 224A							
WVZA	224A	Herrin	IL	82.0	156.44	115.0	41.44
LI CN	37 45 15	88 56 05	3.300 kW	132M	97.2	71.5	
	3-D Communications Corporatio				BLH940316KA		
>to Channel 224B1 per one-step application bph-960221IG							





Comparative 60 dBu Service Contours

N. Lat. 36 39 48

W. Long. 89 47 39

EXHIBIT 4

L. WHEELER - 02/97

